

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Scott Thomas Berry,

Civil No. 18-1394 (DWF/LIB)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Warden R. Marques,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated June 14, 2018. (Doc. No. 14.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Leo I. Brisbois's June 14, 2018 Report and Recommendation (Doc. No. [14]) is **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. [1]) is **DENIED**.
3. This action is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 17, 2018

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge